

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE
MEMPHIS DIVISION**

KAMERON WALKER,)	
)	
Plaintiff,)	
)	
)	
v.)	Case No.
)	
ARAMARK CAMPUS, LLC,)	
)	
Defendant.)	
)	
)	
)	
)	

NOTICE OF REMOVAL

Pursuant to 28 U.S.C. §§ 1332, 1441, and 1446, Defendant Aramark Campus, LLC (“Aramark”), removes this civil action from the Circuit Court of Shelby County, Tennessee to the United States District Court for the Western District of Tennessee. In support of this Notice of Removal, Aramark states as follows:

BACKGROUND

1. On December 28, 2018, Plaintiff Kameron Walker (“Plaintiff”) filed this civil action against Aramark in the Circuit Court of Shelby County, Tennessee, styled *Kameron Walker v. Aramark Campus, LLC*, Case No. CT-005784-18 (the “State Court Action”).
2. On January 3, 2019, Plaintiff filed an Amended Complaint.
3. In the State Court Action, Plaintiff seeks damages for injuries he allegedly sustained while dining in a cafeteria at the University of Memphis, located at 3720 Alumni Avenue, Memphis, Tennessee 38152.

COMPLIANCE WITH REMOVAL STATUTE

4. This Notice of Removal is properly filed in the United States District Court for the Western District of Tennessee, pursuant to 28 U.S.C. § 1446(a), because the Circuit Court of Shelby County, Tennessee is located in this federal judicial district and division. This Notice of Removal is signed pursuant to Rule 11 of the Federal Rules of Civil Procedure.

5. Aramark was served with the Amended Complaint and Summons in the State Court Action on January 4, 2019. The Notice of Removal is, therefore, timely filed within thirty (30) days of any receipt of the Complaint and Summons pursuant to 28 U.S.C. § 1446(b).¹

6. Aramark will provide written notice of the filing of this Notice of Removal to Plaintiff, and will file a copy of this notice in the Circuit Court of Shelby County, Tennessee, as required by 28 U.S.C. § 1446(d).

7. In accordance with 28 U.S.C. § 1446(a), Aramark attaches a true and correct copy of all process, pleadings, and orders received by Aramark in the State Court Action as **Exhibit A**.

8. Aramark will file its Rule 7.1 Disclosure Statement contemporaneously with this Notice of Removal.

DIVERSITY JURISDICTION EXISTS

9. This is a civil action over which this Court has original jurisdiction under 28 U.S.C. §§ 1332 and 1441 based on diversity of citizenship and the requisite amount in controversy.

10. The parties are citizens of different states.

11. Plaintiff is a resident of the State of Tennessee.

¹ Aramark was not served with the original Complaint filed on December 28, 2018.

12. Aramark Campus, LLC is a Delaware limited liability company and maintains its principal place of business in Philadelphia, Pennsylvania.

13. Aramark is not a resident of the State of Tennessee nor does it have its principal place of business in Tennessee.

14. There is complete diversity of citizenship between Plaintiff and Aramark.

15. In his Amended Complaint, Plaintiff seeks compensatory damages in the amount of seventy-five thousand dollars (\$75,000.00) and punitive damages in the amount of one million dollars (\$1,000,000.00). Accordingly, the amount in controversy exceeds the sum of seventy-five thousand dollars (\$75,000.00), exclusive of interest and costs, as required by 28 U.S.C. § 1332(a).

16. Because there is complete diversity of citizenship between Plaintiff and Aramark and the amount in controversy exceeds seventy-five thousand dollars (\$75,000.00), exclusive of interest and costs, this action could have been brought in this Court, and this action is properly removed under 28 U.S.C. §§ 1332 and 1441.

17. Pursuant to Federal Rule of Civil Procedure 81(c), Aramark will answer, move, or otherwise plead in response to the Amended Complaint on or before January 31, 2019.

CONCLUSION

Aramark respectfully requests that this Court exercise its jurisdiction over this action and enter such further orders and grant such further relief as may be necessary to secure removal in this matter and to prevent such further proceedings in the Circuit Court of Shelby County, Tennessee, and further seeks all other relief to which it is justly entitled.

Respectfully submitted,

s/ Matthew B. Haskell

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CERTIFICATE OF SERVICE

I hereby certify that on the 24th day of January, 2019, a copy of the foregoing **Notice of Removal** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U.S. Mail. Parties may access this filing through the Court's electronic filing system.

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Attorney for Plaintiff

s/ Matthew B. Haskell